

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, FEBRUARY 2, 2005

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JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 2, 2005

The Senate met in regular session at 8:35 a.m., President Kibbie presiding.

Prayer was offered by Don Bramschreiber, lay pastor of the First Baptist Church in Ottumwa, Iowa. He was the guest of Senator Kreiman.

The Journal of Tuesday, February 1, 2005, was approved.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:42 a.m. until 8:30 a.m., Thursday, February 3, 2005.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Floyd Perry, La Porte City—For celebrating your 90th birthday. Senator Schoenjahn (2/2/05).

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 1, 2005, 3:05 p.m.

Members Present: Fraise and Johnson, Co-chairs; Black, Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Kibbie, Mulder, Putney, Ragan, and Rielly.

Members Absent: Houser (excused).

Committee Business: Presentation by Secretary of Agriculture.

Adjourned: 4:00 p.m.

EDUCATION

Convened: February 2, 2005, 1:05 p.m.

Members Present: Connolly and McKinley, Co-chairs; Angelo, Beall, Boettger, Brunkhorst, Kreiman, Mulder, Quirmbach, Schoenjahn, Ward, and Wood.

Members Absent: Dvorsky and Lamberti (both excused).

Committee Business: Subcommittee assignments.

Adjourned: 1:20 p.m.

GOVERNMENT OVERSIGHT

Convened: February 2, 2005, 10:45 a.m.

Members Present: Courtney and Lundby, Co-chairs; Connolly and Wieck.

Members Absent: None.

Committee Business: Presentations by Department of Administrative Services and president of Iowa Operations of Music and Amusement.

Adjourned: 12:00 p.m.

LOCAL GOVERNMENT

Convened: February 2, 2005, 1:30 p.m.

Members Present: Quirmbach and Shull, Co-chairs; McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun.

Members Absent: Houser, Kreiman, and Lundby (all excused).

Committee Business: Presentation by Iowa State County Treasurers Association.

Adjourned: 2:00 p.m.

STATE GOVERNMENT

Convened: February 2, 2005, 1:40 p.m.

Members Present: Horn and McKibben, Co-chairs; Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Ziemann.

Members Absent: None.

Committee Business: Subcommittee assignments. Presentation by county auditors.

Adjourned: 2:10 p.m.

WAYS AND MEANS

Convened: February 2, 2005, 2:15 p.m.

Members Present: Bolkcom and Ziemann, Co-chairs; Connolly, Danielson, Dotzler, Hahn, Lamberti, McCoy, McKibben, McKinley, Miller, Quirmbach, Seng, Stewart, and Zaun.

Members Absent: Wieck (excused).

Committee Business: Passed [HF 102](#).

Adjourned: 2:25 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 2, 2005, 9:35 a.m.

Members Present: Putney and Stewart, Co-chairs; McCoy, Mulder, and Ziemann.

Members Absent: Dvorsky (excused).

Committee Business: Presentation by Department of Administrative Services.

Adjourned: 10:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 2, 2005, 9:30 a.m.

Members Present: Gaskill and Seng, Co-chairs; Black, Hahn, and Schoenjahn.

Members Absent: Houser (excused).

Committee Business: Presentation by Secretary of Agriculture.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 2, 2005, 9:30 a.m.

Members Present: Dotzler and Ward, Co-chairs; Behn, Brunkhorst, Danielson, and Rielly.

Members Absent: None.

Committee Business: Presentation by Iowa Workforce Development.

Recessed: 9:55 a.m.

Reconvened: 10:15 a.m.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 2, 2005, 9:35 a.m.

Members Present: Boettger and Horn, Co-chairs; Quirmbach, Shull, and Wood.

Members Absent: McKinley (excused).

Committee Business: Presentation by Legislative Services Agency.

Adjourned: 9:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: February 2, 2005, 9:40 a.m.

Members Present: Hatch and Tinsman, Co-chairs; Bolkcom, Johnson, Ragan, and Seymour.

Members Absent: None.

Committee Business: Presentations by Department of Human Services and Legislative Services Agency.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 2, 2005, 9:40 a.m.

Members Present: Fraise and McKibben, Co-chairs; Hancock, Kreiman, and Miller.

Members Absent: Iverson (excused).

Committee Business: Presentation by Department of Corrections.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: February 2, 2005, 9:40 a.m.

Members Present: Kettering and Warnstadt, Co-chairs; Beall, Dearden, and Zaun.

Members Absent: Angelo (excused).

Committee Business: Presentation by director of the Office of Aviation.

Adjourned: 10:00 a.m.

INTRODUCTION OF BILLS

Senate File 101, by Lamberti, a bill for an act relating to the adoption subsidy program administered by the department of human services by revising limitations on attorney fees.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 102, by Wieck, Seymour, Miller, Brunkhorst, Hahn, McKibben, McKinley, Johnson, Ward, Tinsman, Kettering, Gaskill, Putney, Shull, Zaun, Mulder, Angelo, Zieman, Iverson, Lundby, Lamberti, Boettger, and Behn, a bill for an act relating to the establishment of a prescription drug assistance program by the commissioner of insurance, and providing for a contingent appropriation.

Read first time under Rule 28 and referred to committee on **Commerce.**

[Senate File 103](#), by Brunkhorst, Boettger, Mulder, McKinley, Ward, Johnson, Behn, Kettering, Lundby, Seymour, Zaun, McKibben, Hahn, Wieck, Gaskill, Putney, Zieman, Lamberti, and Iverson, a bill for an act relating to driver education by a teaching parent.

Read first time under Rule 28 and referred to committee on **Transportation.**

[Senate File 104](#), by Black and Zieman, a bill for an act providing a sales and use tax exemption for certain appliances that meet the energy efficiency rating established for the appliance by the United States environmental protection agency and providing an effective date.

Read first time under Rule 28 and referred to committee on **Ways and Means.**

[Senate File 105](#), by Black, a bill for an act designating highway 2 as the second infantry division highway.

Read first time under Rule 28 and referred to committee on **Transportation.**

STUDY BILLS RECEIVED

[SSB 1099](#) **Commerce**

Relating to debt collection disclosure requirements for state bank affiliates.

[SSB 1100](#) **Transportation**

Relating to obstructions in highways and providing penalties.

SUBCOMMITTEE ASSIGNMENTS

[Senate Joint Resolution 3](#)

STATE GOVERNMENT: Miller and Wood, Co-chairs; Brunkhorst and Danielson

[Senate File 71](#)

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

[Senate File 80](#)

STATE GOVERNMENT: Wieck and Wood, Co-chairs; Brunkhorst and Connolly

[Senate File 83](#)

STATE GOVERNMENT: Hancock and Miller, Co-chairs; Danielson and Kettering

[Senate File 85](#)

STATE GOVERNMENT: Kibbie and Ward, Co-chairs; Connolly and Kettering

[Senate File 86](#)

STATE GOVERNMENT: Kibbie and Ward, Co-chairs; Connolly and Kettering

[Senate File 95](#)

STATE GOVERNMENT: Kibbie and Ward, Co-chairs; Connolly and Kettering

[SSB 1099](#)

COMMERCE: Kettering and Rielly, Co-chairs; Stewart and Zaun

[SSB 1100](#)

TRANSPORTATION: Dearden and Hahn, Co-chairs; Beall and Kettering

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: [HOUSE FILE 102](#), a bill for an act relating to state income taxes by authorizing individuals, corporations, and financial institutions to elect to take the additional first-year depreciation allowance and the increased expensing allowance and to allow the additional first-year depreciation allowance and the increased expensing allowance which were deductible for a tax year for which a tax return was filed prior to a certain date to be deducted on the return filed for the subsequent tax year and including an effective date provision and a retroactive applicability date provision.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Bolcom, Zieman, Connolly, Danielson, Dotzler, Hahn, Lamberti, McCoy, McKibben, McKinley, Miller, Quirnbach, Seng, Stewart, and Zaun. Nays, none. Absent, 1: Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 2, 2005, the Governor approved and transmitted to the Secretary of State the following bill:

[S.F. 36](#) – Providing for the establishment of the state percent of growth for purposes of the state school foundation program and providing an applicability date.